

REMARKS

Claims 2 – 10 and 60 – 74 are pending. Claims 2, 10, 62 - 63, and 68 - 69 have been amended. Claims 71 - 74 have been added. Claim 1 has been cancelled.

The Examiner identified that claims 3 - 9 and 60 - 70 are allowed. The applicants have made minor modifications to claims 62, 63, 68, and 69 to improve the form of the claims and to ensure proper antecedent basis.

In the February 2, 2004 Office Action, claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,266,969 to Mochizuki ("the Mochizuki reference"). The Examiner rejected claim 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,253,941 to Kamoda ("the Kamoda reference"). These rejections are respectfully traversed.

Independent claim 2, as amended, recites:

A printer for transferring images to media using a multi-color dye diffusion process or a direct thermal process, the printer comprising:

a print station including a printhead and a platen for receiving sheets of receiver media fed therebetween from an input path;

a first discharge path for translating completely imaged receiver media, created using the multi-color dye diffusion process or the direct thermal process, from the print station to an output tray;

a second discharge path for translating receiver media from the print station to a compartment separated from the output tray during intermediate passes of the dye diffusion process; and

an output diverter which is movable to guide media sheets from the print station to said first discharge path when said output diverter is in a first position, and to guide media sheets from said print station to said compartment during intermediate passes of the dye diffusion process when said output diverter is in a second position.

The Mochizuki reference does not disclose, teach, or suggest the printer of claim 2. The Examiner identified that the Mochizuki reference includes a print station, a first discharge path P3 for translating image receiver media from the print station to an

output tray 31 and a second discharge path Ps for translating receiver media from the print station to a compartment separated from the output tray during intermediate passes of the dye diffusion process. (*February 2 Office Action, page 2*). The Examiner also states that the Mochizuki reference further includes an output diverter 42 which is movable to guide media sheets from the print station to said first discharge path when said output diverter is in a first position, and to guide media sheets from said print station to said compartment when said output diverter is in a second position. (*February 2 Office Action, page 3*).

Applicants respectfully disagree with the Examiner's understanding of the Mochizuki reference's output diverter. Applicants respectfully submit that the output diverter of the Mochizuki reference does not guide media sheets from said print station to said compartment during intermediate passes of the dye diffusion process when the diverter is in a second position. The Mochizuki reference output diverter is movable to two positions. It originally rests in a first position that that guides media sheets from a print station to an output tray. When a first media sheet is passed to the print station along path P1, the directional control gate 42, i.e., the diverter, is resiliently urged to open passage P1 to permit the sheet to pass through as shown by the chain line in Fig. 3. The sheet advances through a passage P2 and is introduced into the printing space P2 that is formed between the thermal transfer unit and the platen roller.

In the Mochizuki reference, when the rear end of the sheet passes through the sheet sensor s1, the sheet sensor s1 starts taking count so that the rotating capstan roller 21 and pinch roller are stopped at the time a prescribed time lapses after the sensor s1 detects the rear end of the sheet being fed through the passage P2. The

printing sheet(s) introduced into the printing space Ps is pinched between the thermal transfer unit 23 and the platen roller 24 and comes in contact with the thermal head 23a. The sheet is moved backward by reversing the capstan roller 21 while driving the thermal head 3a to heat. At the outset of printing, the printing sheet introduced into the printing space Ps confronts the ink receptor layer on the ink ribbon 25. After coating the sheet with the ink receptor layer in the first process, the sheet coated with the ink receptor layer is again introduced into the printing space Ps for the successive processes of printing the color inks on the sheet. (*Mochizuki reference, col. 6, lines 2 - 63; col. 7, lines 1 - 15*).

As is shown in Fig. 3 of the Mochizuki reference, the directional control gate in an initial position, is held in a first position by a spring, which blocks off passage P1. Passage P1 is blocked until a media sheet presses against the directional control gate 42 when the directional control gate moves to a second position. Then, after the sheet passes through P1, as detected by sensor s1, the directional control gate will move back to the initial or first position due to the energization of the spring. Since printing occurs at a time after the rear end of the sheet passes the directional gate and sensor s1, the directional control gate will be in the initial position, or first position, when printing (or intermediate passes of the printing process) occurs. Thus, the Mochizuki reference does not disclose **an output diverter which is movable and guides media sheets from said print station to said compartment during intermediate passes of the dye diffusion process when said output diverter is in a second position** because when the Mochizuki reference's output diverter is in the second position, sheets are being passed from an input tray into the print station, i.e., the media is being

input to the print station and no printing is occurring. The sheets are not being fed into a compartment separated from the output tray that is utilized during intermediate passes. Accordingly, applicants respectfully submit that independent claim 2, as amended, distinguishes over the Mochizuki reference.

Dependent claims 71 - 73 depend directly on claim 2, as amended. Accordingly, applicants respectfully submit that dependent claims 71 - 73 distinguish over the Mochizuki reference for the same reasons as discussed above in regard to independent claim 2, as amended.

Dependent claim 71 further distinguishes over the Mochizuki reference. Claim 71 recites:

The printer according to claim 2, wherein said compartment is **physically under the output tray**.

The Mochizuki reference, as illustrated in Figs. 3 - 6, does not disclose, teach, or suggest that the media passes to any storage area, i.e., compartment that is physically under the output tray. Accordingly, applicants respectfully submit that dependent claim 71 distinguishes over the Mochizuki reference.

Dependent claim 72 further distinguishes over the Mochizuki reference.

Dependent claim 72 recites:

The printer according to claim 2, wherein **the output diverter is movable by utilization of a motor controlled by a printer controller**.

The Mochizuki reference does not disclose, teach, or suggest the printer of dependent claim 72. The Mochizuki reference discloses a directional control gate 42, which the Examiner states is the output diverter, that is initially held in one position by an energized spring and moves to a second position when a piece of paper pushes

resiliently urges the gate 42 to open. After the piece of paper has passed, the gate returns to the initial first position. There is no disclosure that the directional control gate is movable utilizing a motor. (*Mochizuki*, col. 6, lines 3 - 10). Accordingly, applicants respectfully submit that dependent claim 72 further distinguishes over the Mochizuki reference.

Dependent claim 73 recites:

The printer according to claim 2, wherein **a portion of the media sheets move past the output diverter during intermediate passes of the dye diffusion process.**

The Mochizuki reference does not disclose, teach, or suggest the printer of claim 73. During printing of the media in the Mochizuki reference, there is no disclosure that the media sheet moves past or touches the directional control gate 42. Fig. 4B illustrates the passage of the media sheet during printing by the use of bidirectional arrows and illustrates that the media sheet does not move past the bidirectional control gate 42, i.e., the output diverter. Fig. 4A only shows the input of media to the printing subsystem. Accordingly, applicants respectfully submit that dependent claim 73 further distinguishes over the Mochizuki reference.

Claim 10, as amended, recites:

A printer for use in transferring an image to a media sheet **using a dye diffusion process or a direct thermal process**, the printer comprising:

a platen;

a printhead assembly having a printhead and a point of rotation allowing said printhead to be rotated between a first printhead position in which said printhead is proximate a media sheet in contact with said platen and a second printhead position in which said printhead is separated from said platen; and

a dye diffusion donor apparatus having a donor spool and a take-up spool for dispensing a donor ribbon between the printhead and said media sheet when said printhead is in said first printhead position during dye diffusion printing,

wherein one of said donor spool and said take-up spool is moveable between a first spool position when the printer is transferring an image using the dye diffusion

process and a second spool position when the printer is transferring an image using the direct thermal process, said donor ribbon being dispensed between said printhead and said media sheet when said one of said donor spool and said take-up spool is in said first position and said one of said donor spool.

The Kamoda reference does not disclose, teach, or suggest the printer of claim 10, as amended. The Examiner states that the Kamoda reference discloses that one of said donor spool and said take-up spool is movable between a first spool position and a second spool position, said donor ribbon being dispensed between said printhead and said media sheet when one of said donor spool and said take-up spools is in said first position. (*February 2 Office Action, page 3*).

The Kamoda reference, unlike the printer described in independent claim 10, as amended, discloses only a printer that can transfer an image to a media sheet using a dye diffusion or ink transfer process. (*Kamoda reference, Abstract, cols. 11, line 37 - col. 12, line 20; Figs. 10, 11, and 12*). Specifically, the Kamoda reference discloses the loading of a print cartridge into the printer to a loading position, and then the loading of the ribbon feed spool into the printing unit in order to load the printing unit with the ink ribbon. The Kamoda reference discloses that when the ribbon/printing paper cartridge 1 is set at the loading position, the swing grippers hold the ribbon feed spool and then transfers the ribbon feed spool. (*Kamoda, col. 12, lines 10 - 20*). There is no disclosure that the ribbon feed spool is located in another position besides in the printing unit when the printer is printing nor is there any disclosure that the printer prints without utilizing the ink cartridge.

This is not the same as a printer including a platen, a printhead assembly, and a dye diffusion apparatus having a donor spool and a take-up spool wherein one of said donor spool and said take-up spool is moveable between a first spool position when the

printer is transferring an image using the dye diffusion process and a **second spool position when the printer is transferring an image using the direct thermal process**. It is not the same because the Kamoda reference does not perform direct thermal printing and so the spools cannot be placed in a second position during a process that is not performed by the printer. Accordingly, applicants respectfully submit that independent claim 10, as amended, distinguishes over the Kamoda reference.

Claim 74 depends directly on claim 10, as amended. Accordingly, applicants respectfully submit that claim 74 distinguishes over the Kamoda reference for the same reasons as discussed above in regard to claim 10, as amended.

Dependent claim 74 further distinguishes over the Kamoda reference. New claim 74, recites:

The printer of claim 10, wherein the one of said donor spool and said take-up spool which is movable **maintains the second spool position when the printer is transferring the image using the direct thermal process**.

As discussed above, the Kamoda reference does not perform transferring of an image using the direct thermal process. Thus, the Kamoda reference does not disclose one of the spools maintaining a second spool position when the printer is transferring the image. Further, the donor spool of the Kamoda reference never rests in a second position. Initially, in the Kamoda reference, a ribbon/printing paper cartridge 1 is set at the loading position. After loading has been completed, swing grippers 60 hold the ribbon feed spool 4 and transfers the same to the printing unit to load the printing unit 49 with the ink ribbon. (*Kamoda, col. 12, lines 13 - 20*). In other words, the ribbon feed spool does not rest at a position because it is loaded into a printing position. The ribbon feed spool only goes back to the initial loading position if the cartridge is to be

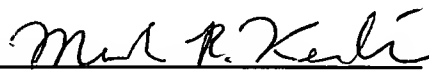
unloaded, not during the use of the printer. Accordingly, applicants respectfully submit that claim 74 further distinguishes over the Kamoda reference.

The applicants believe that the foregoing amendments place the application in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call either of the undersigned attorney(s) at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

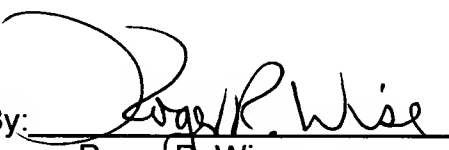
Respectfully submitted,

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